

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KANIKA DEMBLA, <i>individually and b/n/k of</i>)	
ASHISH DEMBLA, SATYA PAL DEMBLA, and)	
ANJALI DEMBLA,)	
)	
Plaintiff,)	
)	No. 3:13-CV-330
v.)	(VARLAN/GUYTON)
)	
SHAUN DUNLAP, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion to Strike [Doc. 13], filed by State Farm Mutual Automobile Company (“State Farm”). State Farm moves the Court to strike paragraph 14 of the Plaintiff’s Complaint because it states that the Plaintiff and decedents were insured by State Farm. In support of this request, State Farm cites the Court to Rule 411 of the Federal Rules of Evidence, which states that evidence of liability insurance is not admissible to prove whether a person acted negligently or wrongfully.

The Motion to Strike was filed on July 29, 2013, and no party has responded in opposition to the relief requested. The time for responding has expired. See E.D. Tenn. L.R. 7.1. The Court may treat the lack of response in opposition as acquiescence to the relief sought. See E.D. Tenn. L.R. 7.2.

Based upon the foregoing, the Court finds that State Farm has shown good cause for striking paragraph 14, and the Court finds that there has been no opposition to the request. Accordingly, the Court finds that the Motion to Strike **[Doc. 13]** is well-taken, and it is **GRANTED**. Plaintiff shall **STRIKE** Paragraph 14 from the Complaint and file a revised Complaint on or before **September 12, 2013**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge